

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
- - - - - X

DIAGEO NORTH AMERICA, INC.,

USDC-SONY
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Plaintiff,

17 Civ. 4259 (LLS)

MEMORANDUM OPINION & ORDER

- against -

W.J. DEUTSCH & SONS LTD.
d/b/a DEUTSCH FAMILY WINE & SPIRITS,
and BARDSTOWN BARREL SELECTIONS LLC,

Defendants.

- - - - - X

If one expects the trial of a claim of infringement to include consideration of the process by which the product was developed, one cannot expect the research conducted, the methods and results of market surveys, the discussion of possible alternatives to the product's form, size and shape, the way in which it will be marketed, the price for which it will be sold, and the experience in the market-place of the participants in the process, to be protected from public exposure.

Accordingly, none of the materials submitted with Diageo's counsel's letters to the Court of January 23, 2020 and February 7, 2020 will be held under seal or redacted.

So Ordered.

Dated: New York, New York
February 12, 2020

Louis L. Stanton

LOUIS L. STANTON
U.S.D.J.